

Non-Academic Grievance Policy and Procedure		
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VERSION HISTORY

Version	Updated by	Approval Date	Details
0.1	QAO		Document creation
1.0	QAO	23/04/2018	Approved by Policy Review group pending final approval by the Executive Management Group
1.0	QAO	02/10/2018	Approved: Executive Management Group

PURPOSE AND SCOPE

The aim of this policy is:

- Provide guidance on resolving grievances relating to NON-ACADEMIC matters.
- Outline the steps involved for students to make a complaint and appeal against: SITCM, SITCM staff and other students at SITCM.
- Outline the steps to resolve issues relating to non-academic matters.

This policy applies to all students at the Sydney Institute of Traditional Chinese Medicine (SITCM).

1 OVERVIEW

The Sydney Institute of Traditional Chinese Medicine (SITCM) is committed to resolving student grievances and complaints of a non-academic nature in an effective, timely, fair, and confidential manner at all times. Students at SITCM are able to access a four-stage grievance process for resolving complaints: Informal, Formal, Appeal and External Appeal (Mediation).

This policy has been informed by the *Higher Education Standards Framework (Threshold Standards) 2015*, including Standard 2.4 Student Grievances and Complaints.

2 POLICY

2.1 NON-ACADEMIC GRIEVANCE HANDLING

- 1) All grievances will be treated seriously, sensitively and promptly.
- 2) Complainants will be treated fairly at all times and will not be victimised or discriminated against during the grievance process.
- 3) Complainants have the right to be represented by a support person at each stage of the grievance process.
- 4) Complainants and respondents will have the opportunity to present their case at each stage of the grievance process.

- 5) Staff and students are expected to participate in the grievance handling process in good faith.
- 6) Students' privacy will be respected at all times during the grievance process.
- 7) SITCM is required under the *Privacy Act 1988* to comply with the *Australian Privacy Principles* during the collection, use and disclosure of personal information.
- 8) To ensure privacy and confidentiality, as few staff members as possible should handle grievances.

2.2 NON-ACADEMIC GRIEVANCES

- 1) Any grievance that is not related to academic matters. Academic grievances must follow the *Academic Grievance Policy and Procedure*.
- 2) A non-academic grievance can be:
 - a. Student grievance against SITCM.
 - b. Student grievance against a staff member at SITCM.
 - c. Student grievance against another student.

2.3 GRIEVANCE AND COMPLAINTS REGISTER

- 1) At all stages of the grievance process, discussions, actions and decisions will be recorded in writing.
- 2) Records of grievances, formal complaints, appeals and decisions will be kept for at least five years in the SITCM complaints register.
- 3) Records of grievances, formal complaints, appeals and decisions will be kept strictly confidential in the SITCM Grievance and Complaints Register.

2.4 FRIVOLOUS COMPLAINTS

- 1) Students must not make grievances/complaints that are frivolous, vexatious, malicious or lacking in substance.
- 2) SITCM may choose not to proceed with grievances/complaints that are frivolous, vexatious, malicious or lacking in substance.
 - a. The student will be notified that the grievance/complaint is not proceeding.
- 3) Students whose grievances/complaints are rejected because they are frivolous, vexatious, malicious or lacking in substance may:
 - a. Re-submit a grievance/complaint that is not frivolous, vexatious, malicious or lacking in substance; OR
 - b. Make an appeal to an external authority.

3 PROCEDURES

3.1 GRIEVANCE PROCEDURES

Students at SITCM have access to a four-stage academic grievance procedure.

3.1.1 STAGE 1: INFORMAL GRIEVANCE/COMPLAINT

- 1) In the first instance students should contact relevant SITCM staff member(s) in an attempt to resolve the dispute as early as possible.
 - a. When meeting with SITCM staff members students have the right to be accompanied by a support person if they chose to do so.
 - b. An informal complaint can be made in person or via email.
 - i. A complaint via email is still informal even though it is written.

- 2) Students should discuss the issue with the SITCM staff member(s) and mutually come up with a resolution.
- 3) It is not mandatory to attempt to resolve a grievance informally and not doing so is not prejudicial to the formal grievance process.
- 4) If the issue is not able to be resolved informally then the student may make a formal complaint.

3.1.2 STAGE 2: FORMAL GRIEVANCE/COMPLAINT

- 1) The Registrar will manage formal grievances and complaints.
- 2) A formal grievance/complaint must be submitted on the *Complaints and Grievances Declaration Form* and emailed to the administration office.
- 3) The receipt of the grievance/complaint will be acknowledged in writing via email.
- 4) The Registrar, or other nominated person, will, if necessary, request further information from the student.
- 5) The Registrar will review the grievance/complaint and provide a decision within 10 working days.
- 6) If the student is not happy with the outcome of the grievance/complaint they make an appeal.

3.1.3 STAGE 3: APPEAL (INTERNAL PANEL)

- 1) The Registrar will manage appeals.
- 2) An appeal must be submitted on the *Complaints and Grievances Declaration Form* and emailed to the administration office.
 - a. The appeal must be made within 10 working days of receiving the outcome of the formal grievance/complaint.
- 3) The receipt of the appeal will be acknowledged in writing via email.
- 4) An appeal panel will be convened within 15 working days to assess the appeal.
- 5) The appeal panel is chaired by the CEO and includes two other senior SITCM staff members.
 - a. The panel may include, but is not limited to: Dean, Clinic Manager, Quality Assurance Officer, Course Coordinator, Associate Dean (if they are not involved in the original grievance/complaint).
- 6) The decision of the appeal panel is the final outcome from the internal SITCM grievance/complaints process.
- 7) If the student is not happy with the outcome of their appeal they will be advised of their right to proceed to Stage 4 of the grievance procedures.

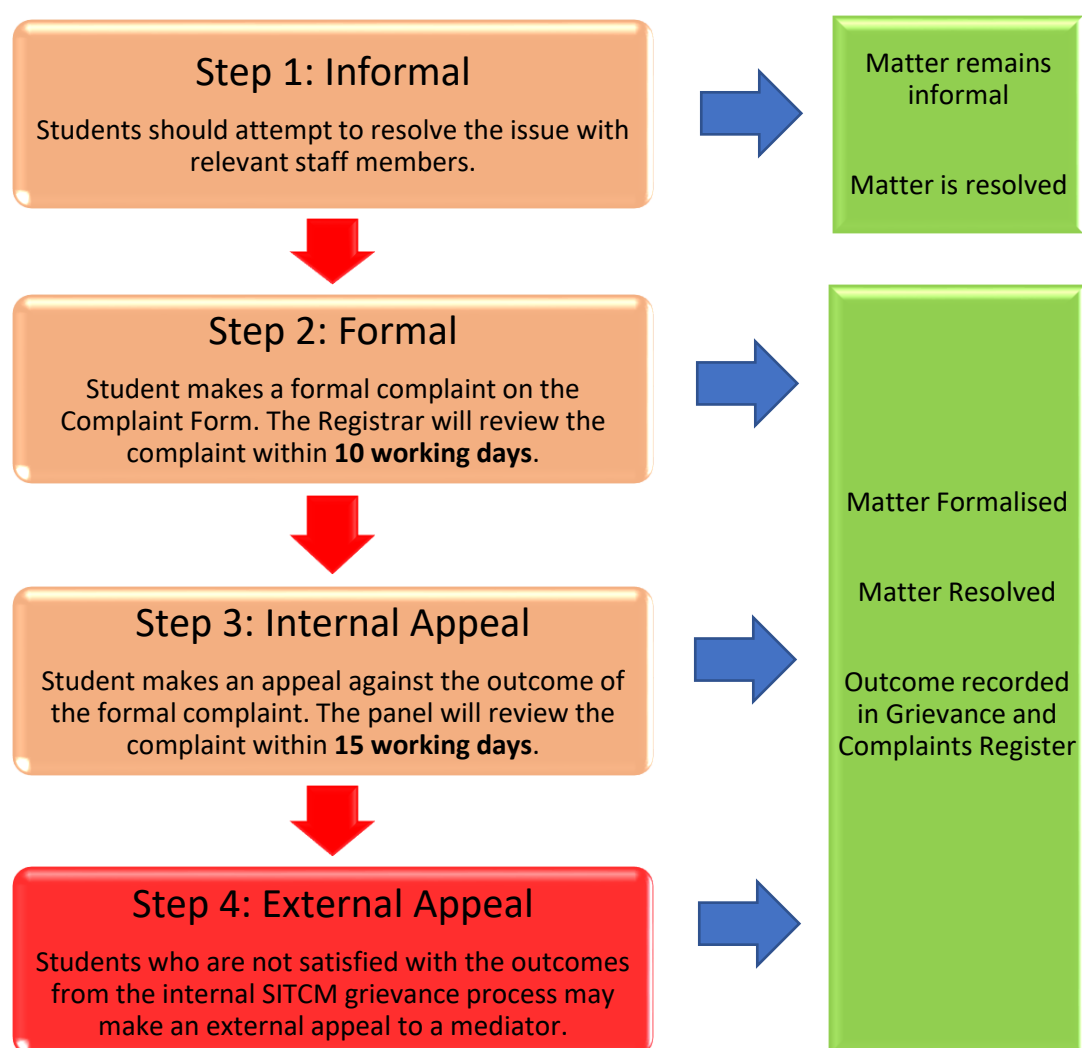
3.1.4 STAGE 4: APPEAL (EXTERNAL MEDIATOR)

- 1) External appeals may be made after all internal processes for grievance/complaint resolution have been undertaken and concluded.
- 2) The purpose of the external moderation is to consider whether SITCM has correctly followed its grievance policy and procedures in making the decision and attempt to reach a resolution.
- 3) SITCM and the complainant will agree on an external qualified mediator.
 - a. Qualified mediators can be found at:
<https://www.resolution.institute/dispute-resolution/mediation>
- 4) SITCM will cover the reasonable costs of mediation.

3.2 NOTIFICATION

- 1) At all stages of the grievance process SITCM will notify students in writing (email) of the outcome of their formal grievance/complaint or appeal.

3.3 GRIEVANCE FLOWCHART



3.4 FURTHER ACTION

Students who have completed the SITCM grievance process and are still unhappy with the outcome may make a complaint to outside bodies.

3.4.1 DOMESTIC STUDENTS

- 1) Australian Competition and Consumer Commission (ACCC):
<https://www.accc.gov.au/consumers/complaints-problems/make-a-consumer-complaint#step-2---contact-the-accc-or-another-third-party>
- 2) Ombudsman NSW: <https://www.ombo.nsw.gov.au/complaints>
- 3) TEQSA: <https://www.teqsa.gov.au/complaints-domestic-students>

3.4.2 INTERNATIONAL STUDENTS

- 1) Overseas Students Ombudsman (OSO):
<http://www.ombudsman.gov.au/about/overseas-students>
- 2) TEQSA: <https://www.teqsa.gov.au/complaints-international-students>

4 RELATED POLICY AND OTHER DOCUMENTATION

- 1) Higher Education Standards Framework (Threshold Standards) 2015.
- 2) A1.14 Academic Grievance Policy and Procedure
- 3) *Privacy Act 1998*